

**ASSEMBLY BILL**

**No. 2518**

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**Introduced by Assembly Member Dababneh**

February 21, 2014

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An act to amend Section 53300 of the Education Code, relating to school intervention.

LEGISLATIVE COUNSEL'S DIGEST

AB 2518, as introduced, Dababneh. School intervention: parent empowerment.

Existing law requires a local educational agency to implement one of several specified interventions for a school not identified as a persistently lowest-achieving school that, after one full school year, is subject to corrective action and fails to meet specified criteria and has a specified percentage of parents and legal guardians of pupils sign a petition requesting the local educational agency to implement at least one of 5 specified interventions. Existing law requires a local educational agency to implement the intervention option requested by the petition unless the local educational agency makes a specified finding in a regularly scheduled public hearing.

This bill would specify that if the intervention identified in the petition is the restart model, as specified, and the petitioners opt to solicit charter school or educational management organization proposals for the selection of a specific charter school or educational management organization operator, then all parents and legal guardians of pupils attending the school have the right to participate in the selection of the charter school or educational management organization operator, regardless of whether they signed the petition. The bill would also make nonsubstantive changes by updating cross-references. By imposing

additional duties on local educational agencies, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 53300 of the Education Code is amended  
2 to read:  
3 53300. (a) For any school not identified as a persistently  
4 lowest-achieving school under Section 53201~~which, that~~, after  
5 one full school year, is subject to corrective action pursuant to  
6 ~~paragraph (7) of Section 1116(b)~~ 6316(b)(7) of the federal  
7 Elementary and Secondary Education Act (20 U.S.C. Sec. 6301  
8 ~~et seq.) seq.~~, and continues to fail to make adequate yearly  
9 progress, and has an Academic Performance Index score of less  
10 than 800, and where at least one-half of the parents or legal  
11 guardians of pupils attending the school, or a combination of at  
12 least one-half of the parents or legal guardians of pupils attending  
13 the school and the elementary or middle schools that normally  
14 matriculate into a middle or high school, as applicable, sign a  
15 petition requesting the local educational agency to implement one  
16 or more of the four interventions identified pursuant to paragraphs  
17 (1) to (4), ~~inclusive~~ inclusive, of subdivision (a) of Section 53202  
18 or the federally mandated alternative governance arrangement  
19 pursuant to Section ~~1116(b)(8)(B)(v)~~ 6316(b)(8)(B)(v) of the  
20 federal Elementary and Secondary Education Act (20 U.S.C. Sec.  
21 6301 et seq.), the local educational agency shall implement the  
22 option requested by the parents unless, in a regularly scheduled  
23 public hearing, the local educational agency makes a finding in  
24 writing stating the reason it cannot implement the specific  
25 recommended option and instead designates in writing which of  
26 the other options described in this section it will implement in the

1 subsequent school year consistent with requirements specified in  
2 federal regulations and guidelines for schools subject to  
3 restructuring under Section ~~1116(b)(8)~~ 6316(b)(8) of the federal  
4 Elementary and Secondary Education Act (20 U.S.C. Sec. 6301  
5 et seq.) and regulations and guidelines for the four interventions.

6 *(b) If the intervention identified in the petition is the restart*  
7 *model, as specified in paragraph (2) of subdivision (a) of Section*  
8 *53202, and the petitioners opt to solicit charter school or*  
9 *educational management organization proposals for the selection*  
10 *of a specific charter school or educational management*  
11 *organization operator; all parents and legal guardians of pupils*  
12 *attending the school, regardless of whether they signed the petition,*  
13 *shall have the right to participate in the selection of the charter*  
14 *school or educational management organization operator,*  
15 *including the right to vote on the intervention proposals.*

16 SEC. 2. If the Commission on State Mandates determines that  
17 this act contains costs mandated by the state, reimbursement to  
18 local agencies and school districts for those costs shall be made  
19 pursuant to Part 7 (commencing with Section 17500) of Division  
20 4 of Title 2 of the Government Code.